IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 4537 OF 2006

IN

APPEAL (L) NO. 994 OF 2006

IN

WRIT PETITION NO. 2512 OF 2003

Tata Infomedia Ltd. .. Appellant

V/s

Suhas S. Gadre & Anr. .. Respondents

Mr.S.P. Salkar for the Appellant.

Mr.S.N. Deshpande for Respondent No.1.

CORAM : R.M.S. KHANDEPARKAR &
D.G. KARNIK, JJ.

DATE : 20TH JUNE 2007

P.C. :

1. Heard.

2. Considering the facts disclosed in the affidavit in support of the notice of motion seeking condonation of delay of 51 days in filing the appeal, and taking into consideration the fact that the Respondents have also filed their appeal against the impugned order, a notice of which was given to the Appellant herein on 16th October 2006, and the present appeal was filed on

30th November 2006, we find sufficient cause is shown for condonation of delay of 51 days in filing the appeal. Hence, the notice of motion is allowed and is made absolute in terms of prayer (a), subject to payment of cost of Rs.500/- to the Respondents. Cost to be paid within 2 weeks.

3. Appeal (L) No.994 of 2006 along with the Notice of Motion No.4536 taken out in the said appeal, after completion of formalities, be notified on 9th July 2007 for admission. Appeal No.777 of 2006 with Notice of Motion No.4322 of 2006 be also placed along with this appeal.

4. Notice of motion is accordingly disposed of.

(R.M.S. KHANDEPARKAR, J.)

(D.G. KARNIK, J.)